

Daily Orders: WP 20894/2023

1	G.NARENDAR AND VIJAYKUMAR A PATIL	<u>19/09/2023</u>
<p>We have heard the learned Senior counsel Prof. Ravi Verma Kumar, learned Senior counsel Sri.Dhyan Chinnappa, learned counsel Sri.N.K.Ramesh for the Karnataka Examinations Authority, learned Additional Government Advocate and Smt.Ramya, Executive Director of KEA.</p> <p>We have perused the impugned notification. In the impugned notification, the candidates who have already been allotted seats and taken admission, have also been permitted to participate in the mop-up round which is strongly resisted by the petitioners on the ground that the same is contrary to the general instructions issued by the KEA itself.</p> <p>Having heard the learned counsels and having perused the Karnataka Selection of Candidates for Admission to Government Seats in Professional Educational Institutions Rules, 2006 and having perused the judgment of coordinate Bench in the case of VISHNU VARMA AND ANR. v. KARNATAKA EXAMINATIONS AUTHORITY AND OTHERS in W.P.Nos.39109-39110/2017, we are of the considered opinion that proviso to Choice 1 of Rule (vi) of sub-Rule 4 of Rule 10 of the Rules clearly prohibits the grant of an option to a candidate who has paid fees and obtained admission order. Infact, the proviso would rule that in case where a student has been allotted seat and admission formalities have been completed by paying the fees and the student fails to report to the College on the last date and time specified, it mandates that such allotment shall be treated as cancelled and the student will not be considered for allotment of seat in the subsequent rounds and such cancelled seat shall be reverted back to the pool and the fee paid is forfeited. By the impugned notification, the respondent - KEA has attempted to do exactly what is prohibited by the very Rules.</p> <p>In that view, there shall be stay of allotment of seats in the mop-up round to such of those students who have already been allotted seat in the previous round and those who have completed admission formalities by paying the fees.</p> <p>It is made clear that such of those students who have not paid the fees and completed the admission would be eligible for consideration.</p> <p>List along with W.P.No.21054/2023.</p> <p>Last Updated On: 2023-09-20 10:54:03</p>		